

MIYAZAKI - 10/646,782
Client/Matter: 061069-0305699

REMARKS

Claims 1 and 3-9 are pending. By this Amendment, the specification is amended; claim 2 is cancelled without prejudice or disclaimer; and claims 1 and 3-8 are amended. Reconsideration in view of the above amendments and following remarks is respectfully requested.

Applicant appreciates the indication that claim 3 would be allowable if rewritten in independent form. New claim 9 corresponds to original claim 3 and includes the amendments made to claim 1 to correct informalities as discussed in more detail below. Accordingly, it is respectfully submitted that claim 9 is allowable. In addition, claims 4-8 depend from claim 9 and it is respectfully submitted that claims 4-8, as they depend on claim 9, are allowable also.

Claims 1 and 2 were objected to. Claim 2 has been cancelled without prejudice or disclaimer, thus rendering as moot the objection. Claim 1 has been amended in accordance with the suggestion of the Office Action. Reconsideration and withdrawal of the objection to claims 1 and 2 are respectfully requested.

Claims 1, 2, 4/1, 4/2, 6/1, 6/2, 7/4/1 and 7/4/2 were rejected under 35 U.S.C. §102(b) over Nakagawa (U.S. Patent 6,425,698). The rejection is respectfully traversed.

Claims 1 recites a focal-plane shutter for digital still cameras including, *inter alia*, two base plates provided with a blade chamber between the two base plates, a plurality of arms pivotally mounted to one of the two base plates, and a shutter blade group having at least one blade pivotally supported by a plurality of joint shanks with respect to the plurality of arms. The plurality of arms have a surface hardness of 500-600 Hv and, of the two base plates, a base plate placed on the photographer side has at least one convex portion on an object-side surface thereof, the convex portion being plated with metal so as to have a surface hardness of 450 to 550 Hv.

Nakagawa '698 discloses a camera shutter including opening shutter blades 3 and closing shutter blades 6. The shutter blades 3 and 6 reach a first position where they cover shutter openings 1a and 2a, and upper protrusions 4d and 7d of opening and closing arms, respectively, are pushed down by a lower protrusion 15f of an engaging pawl 15, as well as an upper protrusion 1b that supports the lower surface of the shutter blades 3 and 6 to prevent downward warp of the shutter blades 3 and 6. The shutter blades 3a-3e and 6a-6e are thus closely fitted to each other.

MIYAZAKI -- 10/646,782
Client/Matter: 061069-0305699

The Office Action on page 11 equates the lower protrusion 15f of the engaging pawl 15 as the convex portion of claim 1. It is respectfully submitted that the lower protrusion 15 of the engaging pawl 15 of Nakagawa '698 is not a convex portion as recited in claim 1. Firstly, there is no disclosure or suggestion by Nakagawa '698 that the lower protrusion 15f is plated with metal, as recited in claim 1. Secondly, the lower protrusion 15f is not part of the base plate 2, the lower protrusion 15f is part of the engaging pawl 15 and extends through an aperture (window) 2b in the base plate 2. See column 3, lines 33-35. Thirdly, there is no disclosure or suggestion by Nakagawa '698 that the lower protrusion 15f has a surface hardness as recited in claim 1. As Nakagawa '698 fails to disclose or suggest these three features of claim 1, Nakagawa cannot anticipate or render obvious claim 1.

The Office Action, on page 3, lines 11-13, alleges that the lower protrusion 15f has the same surface hardness as the arms 4-8, 24-27, or 37-38. There is no such disclosure or suggestion by Nakagawa '698.

Claims 3-8 recite additional features of the invention and are allowable for the same reasons discussed above with respect to claim 1 and for the additional features recited therein.

Reconsideration and withdrawal of the rejection under 35 U.S.C. §102(b) over Nakagawa '698 are respectfully requested.

Claims 1, 2, 4/1 and 4/2 were rejected under 35 U.S. C. §102(b) over Nakagawa et al. (U.S. Patent 4,150,890). The rejection is respectfully traversed.

The Office Action on page 4, line 19 alleges that the downwardly projecting projection 2 or 2b of Nakagawa et al. '890 is a convex portion as recited in claim 1. However, there is no disclosure or suggestion by Nakagawa et al. '890 that the downwardly projecting projection 2 or 2b is metal plated or has a surface hardness as recited in claim 1. As Nakagawa et al. '890 do not disclose or suggest these features, claim 1 cannot be anticipated or rendered obvious by Nakagawa '698.

The Office Action, on page 4, lines 19-21, alleges that the downwardly projecting projection 2 or 2b has the same surface hardness as the arms 4-8. There is no such disclosure or suggestion by Nakagawa et al. '890.

Claims 2, 4/1 and 4/2 recite additional features of the invention and are allowable for the same reasons discussed above and for the additional features recited therein.

Reconsideration and withdrawal of the rejection under 35 U.S.C. §102(b) over Nakagawa et al. '890 are respectfully requested.

MIYAZAKI -- 10/646,782
Client/Matter: 061069-0305699

Claims 5/1, 5/2, 8/5/1 and 8/5/2 were rejected under 35 U.S.C. §103(a) over Nakagawa '698 in view of Fukuda et al. (U.S. Patent 4,926,202). The rejection is respectfully traversed.

Applicant respectfully notes that Fukuda et al. is not of record in the instant application. The Examiner did not cite the reference on a PTO-892, nor did the Examiner provide a copy of the reference as required by 35 U.S.C. §132(a). Accordingly, it is respectfully submitted that the Examiner must: (1) make Fukuda et al. officially of record; and (2) provide a copy to Applicant. In the event that the Examiner insists on maintaining the rejection relying on Fukuda et al., it is respectfully submitted that the next Office Action must be non-final.

Fukuda et al. fail to cure the deficiencies of Nakagawa '698 discussed above with respect to claim 1. In particular, Fukuda et al. also does not disclose a convex portion of a base plate being plated with metal so as to have a surface hardness of 450-550 Hv. Accordingly, the combination of Nakagawa '698 and Fukuda et al. fails to result in the invention of claim 1.

Claim 8 recites additional features of the invention and is allowable for the same reasons discussed above with respect to claim 5 and for the additional features recited therein. Reconsideration and withdrawal of the rejection under 35 U.S.C. §103(a) over Nakagawa '698 in view of Fukuda et al. are respectfully requested.

In view of the above amendments and remarks, Applicant respectfully submits that all the claims are allowable and that the entire application is in condition for allowance.

Should the Examiner believe that anything further is desirable to place the application in better condition for allowance the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,
PILLSBURY WINTHROP LLP


JOHN P. DARLING

Reg. No. 44482
Tel. No. (703) 905-2045
Fax No. (703) 95-2500

Date: April 14, 2004
P.O. Box 10500
McLean, VA 22102
(703) 905-2000